

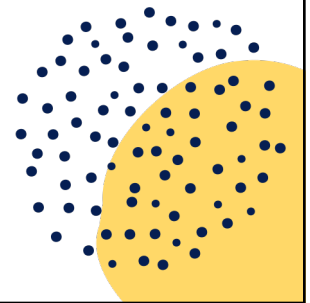
GENDER AND JUSTICE

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Bauman Consulting Group

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**MAKING THE
CASE FOR
GENDER-
RESPONSIVE
APPROACHES
FOR WOMEN**



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RISK

This tells us who we need to intervene with.

NEED

This tells us what areas we need to intervene in.

RESPONSIVITY

This tells us how to individualize our approaches to each client.

TREATMENT

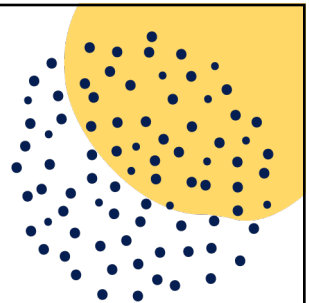
This tells us what programs and services will make the most impact.

FIDELITY

This tells us how important it is to implement processes as designed.

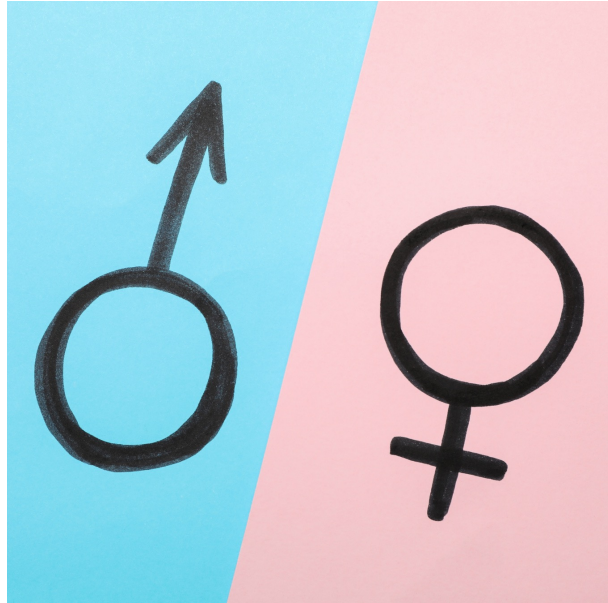
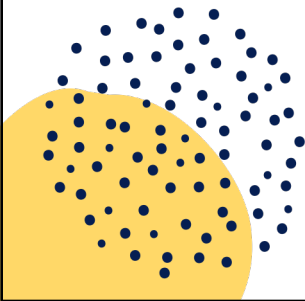


**Evidence-
Based
Practices**



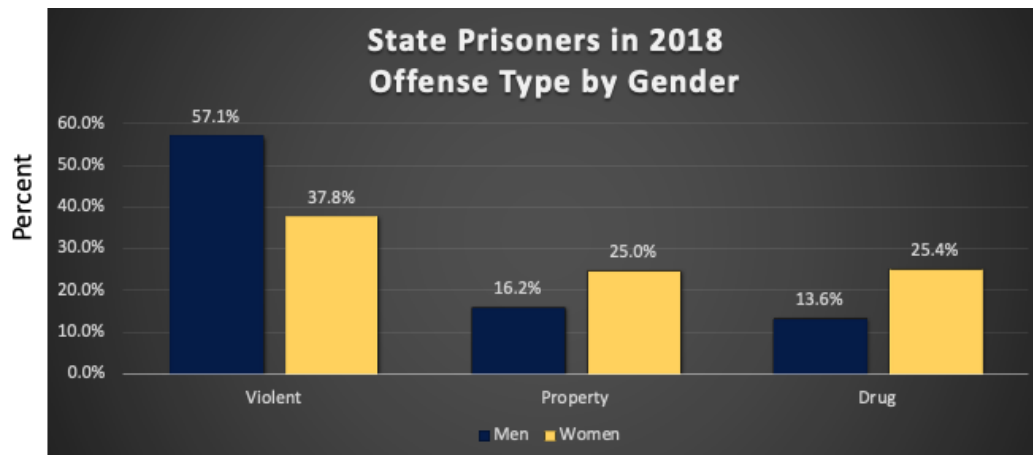
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Gender Matters



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Men and Women in Prison



Carson, E.A. (2020). *Prisoners in 2018*. Washington D.C: Bureau of Justice Statistics



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Increasing Populations

1990-2016

PROBATION

Men 45% Women 125%

PAROLE

Men 65% Women 189%

JAIL

Men 65% Women 175%

PRISON

Men 91% Women 152%

B

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JUSTICE-INVOLVED WOMEN



CJ INVOLVEMENT

Early 30's
Drug-Related or Property Crimes
Disproportionately Women of
Color



POVERTY

Undereducated
Unskilled
Unemployed
Mothers to Minor Children



CO-OCCURRING NEEDS

Victims of Abuse/Trauma
Substance Abuse Problems
Health Problems
Mental Health Problems

B

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SYSTEM DESIGN

The criminal justice system is designed for men based on research on men.

RISKS AND NEEDS

Women have different risk and needs than men. Often this means less access to appropriate programs and services.

INCREASING POPULATIONS

Women are entering the criminal justice system at approximately twice the rate of increase of men.

DIFFERENTIAL RESPONSES

Women incur higher rates of technical violations and struggle to be successful on supervision. They are viewed as "more difficult."

PATHWAYS INTO THE SYSTEM

Women and men enter the criminal justice system through unique pathways based on different life experiences.

FAR-REACHING IMPACTS

Many of the women (and their children) are involved in multiple "systems." The impacts of working with them is profound.

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"...creating an environment through site selection, staff selection, program development, content and material that reflects an understanding of the realities of the lives of women and girls and that addresses and responds to their strengths and challenges."

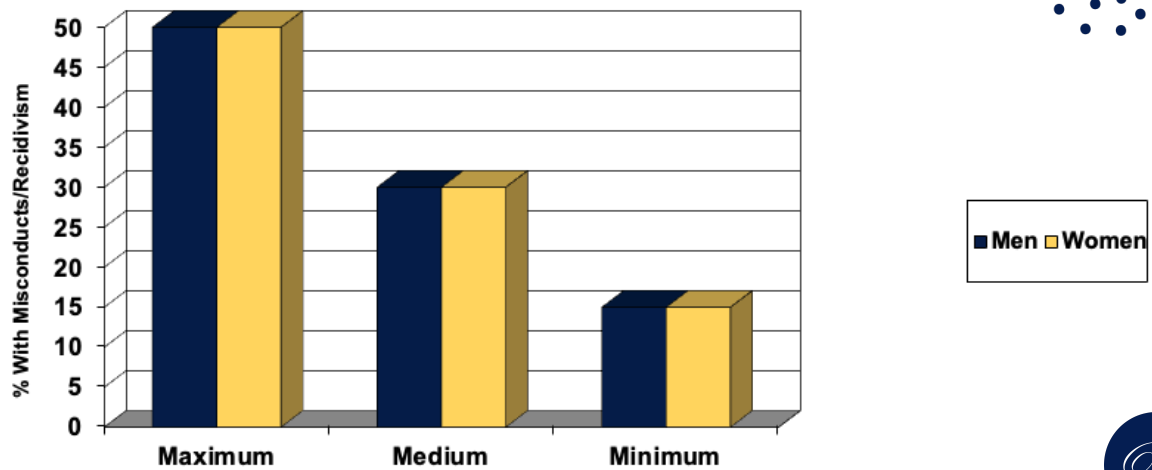


-STEPHANIE COVINGTON, PH.D., LSCW



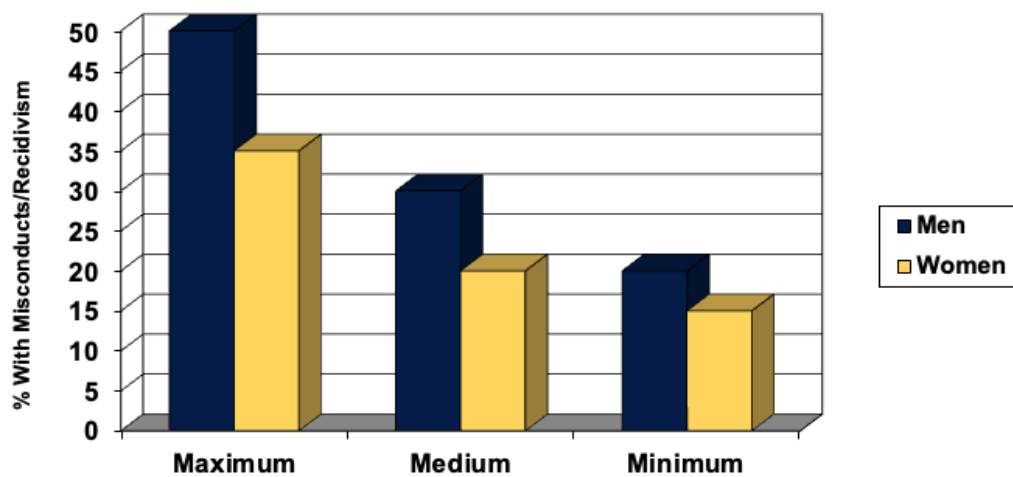
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Assessment Validity



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Overclassification Problems



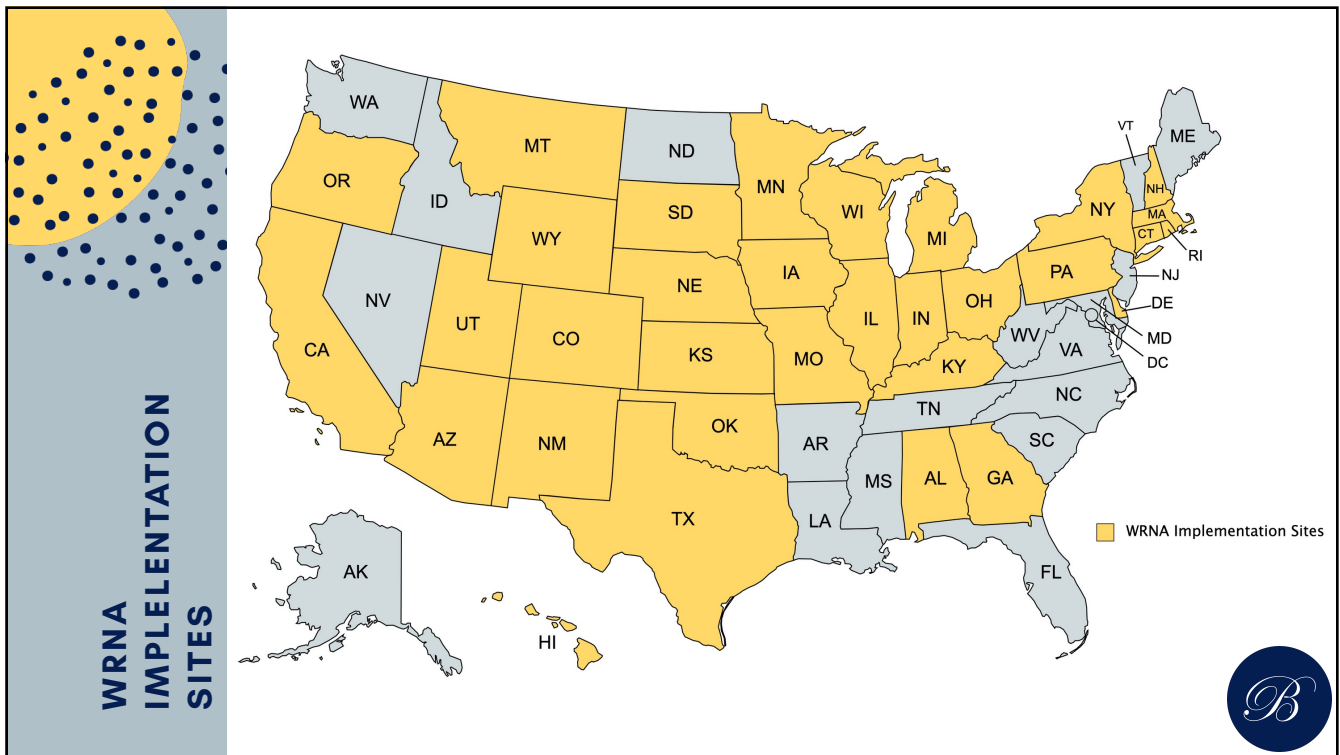
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 <p>CONSTRUCTION RESEARCH</p> <p>Conducted between 2004-2008 4 States (CO, MN, MO, HI) Probation, Prison, Prelease Standalone and Trailer Versions</p> <p>RESULTS</p> <p>While there are some risk factors which appear to be "gender-neutral" there are others which seem to be "gender-responsive."</p>	<p>Women's Risk/Needs Assessment</p>  <p>VAN VOORHIS, SALISBURY, WRIGHT & BAUMAN</p> 
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<p>2009-2013</p> <p>REVALIDATION STUDY</p> <p>Six states (IA, KY, MN, MO, OH, & RI) Allowed for the further improvement and refinement of the tools.</p> 	 <p>Expansion</p> <p>32 STATES SEVERAL FOREIGN COUNTRIES</p> 
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Women's Risk Needs Assessment



GENDER-NEUTRAL
Criminal History, Antisocial Attitudes, Antisocial Friends, Substance Abuse History, Recent Substance Abuse



GENDER-RESPONSIVE
Housing Safety, Employment/Financial, Educational Needs, Anger/Hostility, History of Mental Illness, Current Symptoms of Depression & Anxiety, Current Symptoms of Psychosis, Histories of Abuse/Trauma, PTSD, Family Conflict, Relationships Difficulties, Parental Stress

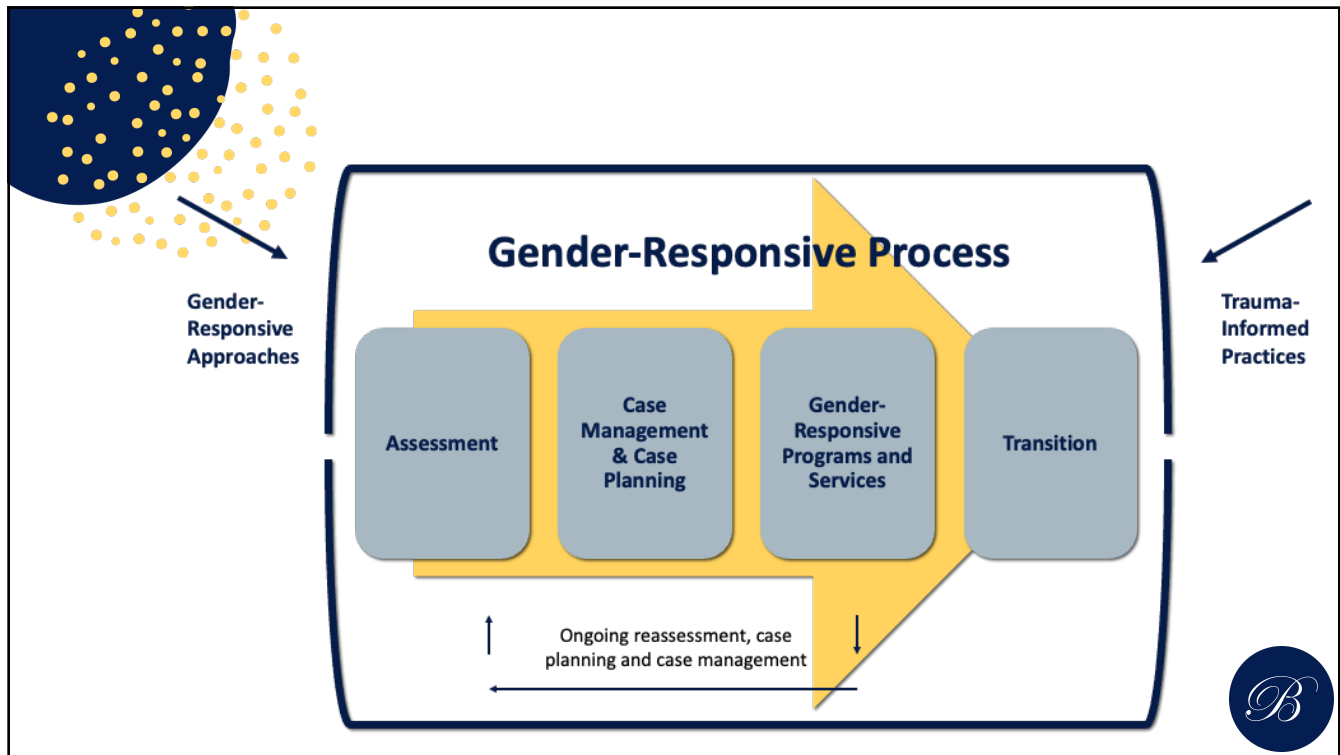


STRENGTHS
Educational Assets, Relationship Support, Parental Involvement, Family Support, Relationship Satisfaction, and Self-Efficacy



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Case Management

COLLABORATIVE CASEWORK
WITH JUSTICE INVOLVED WOMEN
Orbis Partners (2006) & Van Dieten (2015)


PATHWAYS TO CHANGE
Bauman Consulting Group (2017)

The graphic features a yellow background. On the left, there is a photograph of a laptop keyboard, a clipboard with a pen, and a black pen. A blue polka-dot shape is at the bottom left. A blue circular logo with a white 'B' is in the bottom right corner.

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Programs



MOVING ON

Van Dieten (1998)

SEEKING SAFETY

Najavits (1996)

DIALECTICAL BEHAVIOR THERAPY

Linehan (2011)

**HELPING WOMEN RECOVER
BEYOND TRAUMA
BEYOND VIOLENCE**

Covington (1999), (2003), (2013)

PARENTING INSIDE OUT

Oregon Social Learning Center (2006)

ACTIVE ADULT RELATIONSHIPS

Simpson (2006)

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Research

- QUALITATIVE POPULATION PROFILES
 - Life stories
- PREDICTION RESEARCH
 - Pathways Studies
 - Risk Assessment Studies
- EVALUATION STUDIES
 - Individual outcome studies
- META-ANALYSES
 - Studies of studies

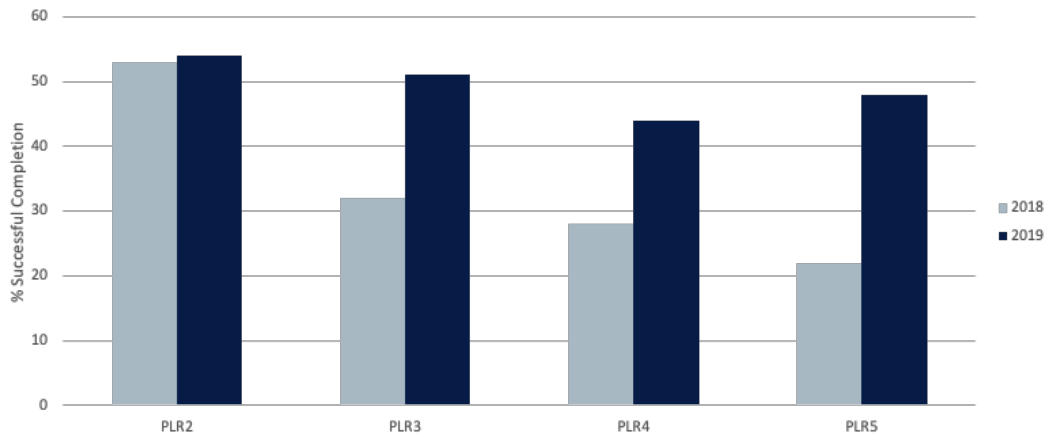


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Pretrial Success Rates

SALT LAKE COUNTY CRIMINAL JUSTICE SERVICES

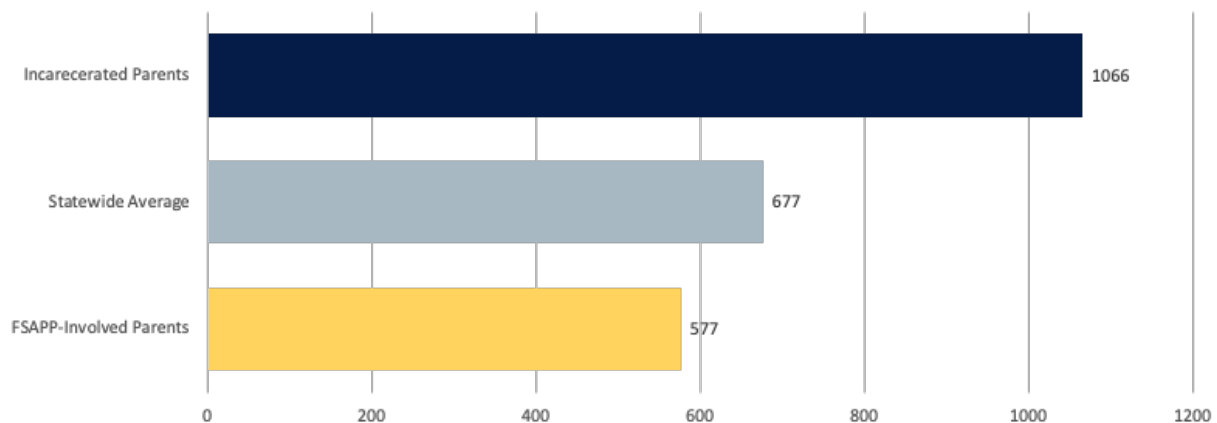
From 2018 to 2019 the overall pretrial success rates for female clients increased 18% from 30% to 48%.



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Oregon State Pilot Project

Average Length of Foster Care Stay (Days)



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GENDER-RESPONSIVENESS HAS GENERATED SEVERAL QUESTIONS



Is treating men and women differently legal?



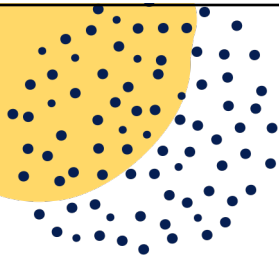
Is it necessary to use gender-responsive practices?



How would we go about implementing this?



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IS TREATING MEN AND WOMEN DIFFERENTLY LEGAL?

Yes. You can create separate policies and use separate programs for men and women as long as the agency does not engage in discriminatory funding.

Policies & Programs

EQUITABLE APPROACHES



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What about equal protection?

EQUAL PROTECTION CLAUSE OF THE 14TH AMENDMENT STATES:

No state shall deny any person "equal protection of the laws."

Equal protection guarantees that people who are similarly situated are treated similarly.



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Legal Precedent



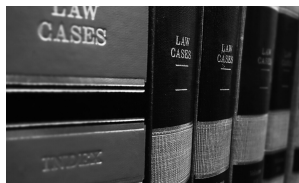
WOMEN PRISONERS V. DC

Men and women prisoners are not similarly situated due to population-specific and facility-specific factors.



KLINGER V. NEBRASKA

Organizational priorities matter. Agencies can determine optimal mix of programs and services for population.

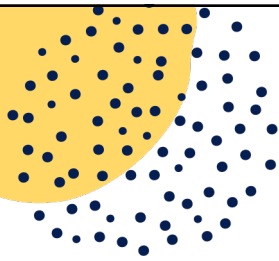


PARGO V. ELLIOTT

The risk levels and needs of men and women differ.



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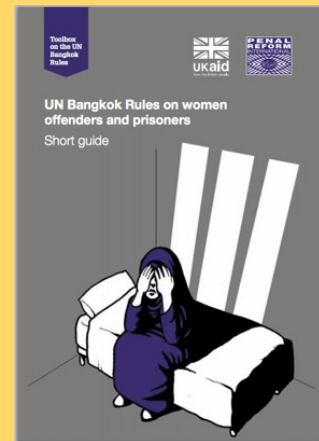


IS IT NECESSARY TO USE GENDER-RESPONSIVE PRACTICES?

Yes. This is not only ethically the right thing to do, it is also the best approach for community safety, client success, and organizational health.

Human Rights

EQUITABLE APPROACHES



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Data-Driven Results

Risk/Need Assessment
Case Management
Trauma-Informed Approaches
Strengths-Based Approaches
Programming
Services
Disciplinary Practices
Supervision Strategies
Recidivism Rates
Staff Outcomes



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HOW WOULD WE GO ABOUT IMPLEMENTING THIS?

This is not as easy as simply changing tools. It requires a cultural and philosophical switch as much as a shift in practices.

Implementation

EQUITABLE APPROACHES



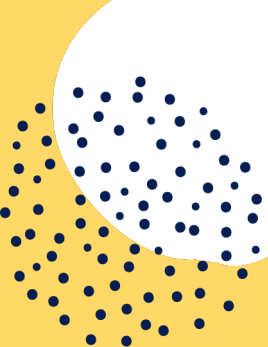



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Implementation

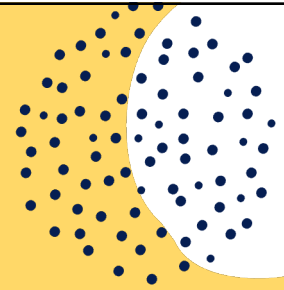
ELEMENTS TO INCLUDE

- Training
- Implementation Planning
- Organizational Development
- Booster Training
- Assessment
- Case Management
- Programming & Services
- Quality Assurance

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To Recap...



NECESSARY?

Yes, there are ethical and data-based grounds for making the change to gender-responsiveness.

LEGAL?

Yes, there is legal precedent to support gender-responsive practices.

POSSIBLE?

Yes, there are models and guides to support you through the change process.



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